

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of LEAH P. DICKS and DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE, Richmond, VA

*Docket No. 99-1918; Submitted on the Record;
Issued August 8, 2000*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has met her burden of proof in establishing that she sustained an injury in the performance of duty on March 27, 1998, as alleged.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the April 26, 1999 decision of the hearing representative of the Office of Workers' Compensation Programs is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.

The decisions of the Office of Workers' Compensation Programs dated April 26, 1999 and June 17, 1998 are hereby affirmed.¹

Dated, Washington, D.C.
August 8, 2000

Willie T.C. Thomas
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

¹ Although appellant submitted a statement from her doctor to the Board on appeal, this new evidence may not be considered by the Board, as 20 C.F.R. § 501.2(c) limits the Board's review of a case to "the evidence in the case record which was before the Office at the time of its final decision." See *George A. Hirsch*, 47 ECAB 520 (1996).